

## OBITUARY.

MR. ARTHUR COPPEN JONES, who died at Davos on March 8th, though not a medical man, deserves some notice in a medical journal. As a bacteriologist he was well known to the profession, especially for his work on the morphology of the tubercle bacillus. Mr. Coppen Jones was born in London thirty-five years ago. He studied at the Royal School of Mines, where he won the Forbes Prize. He had been intended for a life of pure science, and he worked at comparative anatomy under Huxley. But his health broke down when he was about 20, and he was sent to Davos on account of pulmonary tubercle, which after some years healed, and never troubled him again. In the meantime he had taken up the study of bacteriology under Koch in Berlin. The medical men of Davos were not slow to avail themselves of his services for bacteriological and chemical examinations. In the course of his extensive work in this direction the occurrence of branched forms of the tubercle bacillus and the occasional presence of club-shaped bodies suggested a relationship with actinomycetes. To test this view he worked in some of the pathological laboratories of Germany. The outcome of his researches was embodied in a paper in the *Centralblatt für Bakteriologie*, 1895, Nos. 1 to 3. He advanced reasons for regarding the tubercle bacillus as a mould of fungus instead of as a bacterium, and in a later paper suggested the name "tuberculumycetes." The well-deserved recognition on the part of German bacteriologists of this careful piece of work stimulated Jones to further exertions. But he overtaxed his strength. While he was working in Zurich in 1896 symptoms of vesical tuberculosis appeared. This distressing ailment more than once seemed likely to become quiescent, as the same disease in the lung had previously done; but the restless energy of the patient and his devotion to work led again and again to fresh outbursts of activity. In spite of the great handicap such an illness inflicted, Jones translated Fischer's *Structure and Function of Bacteria* for the Clarendon Press. The translation, which appeared a few months ago, was very favourably received. Coppen Jones was a man of sterling worth, honest and painstaking in everything he did, and withal a good fellow.

## MEDICO-LEGAL AND MEDICO-ETHICAL.

## THE VIAVI TREATMENT—ANOTHER DEATH.

AN inquest was held recently by Mr. Bate, the West Cheshire coroner, upon the body of a child, aged 7 years and 10 months, who died at Liscard after certain treatment. The inquiry was twice adjourned for the purpose of obtaining an analysis of some ointment, medicine, and pills similar to those which had been used in the course of the illness of the child. From the report in the *Wallasey Chronicle* we gather that the county analyst gave a certificate that the pills were composed of aloes, sugar, and probably some colocynth, and that in his opinion the compound would form a very drastic purgative and be very dangerous if given to children. The facts which were brought out in evidence were as follows:—The deceased was the son of George Downard, and had suffered from an enlarged abdomen from birth. Various medical practitioners had attended the child, but not lately. In December last the mother received a visit from a Miss Banks who invited her to attend a lecture on the Viavi treatment. Subsequently a Mrs. Bennett, the sister of Miss Banks, and widow of the late Dr. Bennett, called and recommended the treatment for the mother herself. After several interviews Mr. and Mrs. Downard were reluctantly persuaded to try the remedies on their son, being assured that they could do no harm even if they did no good.

They were induced to purchase a box of Viavi ointment for 36s., a portion of which was rubbed upon the abdomen of the child, and Mrs. Bennett gave them samples of "Viavi" liquid and pills. Half a pill and a small quantity of the liquid were administered to the child, with it is stated, apparently satisfactory results; the child seemed to be in excellent spirits in the morning. Later he became unwell, and was seized with vomiting and diarrhoea in the afternoon, and died on the following day. No doctor was called in. A *post-mortem* examination was made, and revealed that the intestines were swollen and congested, and by distension had altered the position of the abdominal organs. The medical evidence proved that death was due to intestinal and gastric irritation.

Mrs. Bennett was called, and stated that she was an agent for the Viavi Company. The pills were not a purgative. She had no medical qualification, and regarded the Viavi remedies more in the light of food than medicine.

The Coroner, in summing up, said there could be no criminal case against anyone. He nevertheless strongly deprecated the manner in which women were allowed to sell patent medicines which, according to them, were applicable to all diseases.

The jury unanimously returned a verdict in accordance with the medical evidence, remarking that there was insufficient evidence to show what was the cause of the vomiting and diarrhoea, adding a rider, however, to the

effect that such medicines should not be sold or used except by the order of a qualified medical practitioner.

Unfortunately it is not likely that the verdict will have much effect, except perhaps in the immediate district in which the inquiry was held, in checking the sale of the Viavi medicines and in lessening the danger to the public. Until the proprietors of such articles are made to be personally responsible in case of death or injury to the misguided persons who use them, it will be impossible to protect the public.

This is not the first time that the use of the so-called Viavi remedies has been followed by inquests on the bodies of the victims of ignorance. It is stated in an article, published on March 22nd in *Truth*, which has taken an honourable part in exposing the methods of the company, that the latest move is to invite the wives of country clergymen to become local agents for the Viavi remedies. In this case the agent is stated to have been the widow of a medical man, but her knowledge of what she was about may be gauged by her statement that she regarded the Viavi pills and mixture in the light of food rather than as medicine; as the pills analysed by the county analyst for Cheshire contained aloes and probably colocynth Mrs. Bennett's notions of food appear to be peculiar. It is to be feared that so long as public bodies allow their halls to be used by lecturers on Viavi treatment, and so long as newspapers admit the advertisements relating to them, the unfortunate public will be gulled into trusting their lives and the lives of their children into the hands of vendors of quack medicines of this nature. To judge by the advertising columns in the daily and weekly newspapers, the twentieth century is by no means free from superstition, and is as easily attracted by the wiles of the charlatan as previous ages.

## ACTION FOR ALLEGED NEGLIGENCE.

AN action was raised at the Glamorgan Assizes on March 20th by a collier named Hurlow against Dr. Brown, of Tredegar, one of the colliery surgeons. It was alleged in the statement of claim that as a result of an accident the plaintiff had sustained a fracture of the neck of the right femur, and that the defendant "negligently and unskillfully omitted to examine the plaintiff to ascertain the nature of the injury, or in the alternative so negligently and unskillfully conducted the examination that he failed to discover the real nature of the injury or that there had been a fracture of the thighbone, etc." The plaintiff claimed £500 damages.

Dr. Brown, being a member of the Medical Defence Union, placed the matter in the hands of the Council, who instructed their solicitor, Mr. Hempton, to take all necessary steps to defend him. The defence raised was an absolute denial that the plaintiff had sustained the fracture which was alleged, and also denial of any neglect or omission to treat him correctly, and issues were joined accordingly.

At the Glamorgan Assizes the defendant's counsel, Mr. S. T. Evans, K.C., instructed by the Medical Defence Union, appeared in the court and stated to the learned judge that on the previous day, March 19th, it was intimated to the Court that this action was in some way settled, and by some means or other it was removed from the cause list. The facts were these: That on the Monday previous a telegram was received by Mr. Hempton, the solicitor for the defendant, apparently coming from the plaintiff's solicitor, stating that the action would be discontinued. A reply was sent stating that application would be made to the Court on the day fixed for the hearing to dismiss the action with costs. Later Mr. Hempton received a letter from the plaintiff's solicitor stating that the action would be discontinued. Mr. Evans asked now that judgment should be given for the defendant, with costs.

Mr. Arthur Lewis, according to the report in the *South Wales Echo*, said that he had been instructed on the other side, but was given to understand that the action was withdrawn some days ago. He was not now in the case.

Mr. Justice Mathew replied that all he could do was to dismiss the action for want of prosecution.

Mr. Evans, K.C., applied however to the judge to restore the case to the list, and this was accordingly done: due notice being given to the plaintiff's solicitor. Later in the day, on the application of Mr. Evans, K.C., his lordship entered judgment for the defendant, with costs.

Mr. Evans remarked that had it been necessary Dr. Brown was prepared with a perfect answer to the charge, for which there was no foundation. The learned judge replied "That must be taken to be so."

We must congratulate Dr. Brown upon the satisfactory termination of his case. It was fortunate for Dr. Brown that he was a member of the Medical Defence Union, and that his defence was undertaken by that body. We are informed that, although the Court awarded costs in the action, yet it will be impossible for these to be obtained from the plaintiff. It should be made impossible for persons without means to raise actions which rest upon no foundation at all, but yet must be defended at heavy expense, against medical practitioners or others. In this case the Medical Defence Union had to carry through all the expensive details of an action, briefing counsel, arranging for skilled experts to attend the court, etc., only to find at the last moment—for it must be remembered that the date was fixed for the hearing—that the plaintiff had withdrawn his case from the jury. It was even then necessary for the full protection of Dr. Brown to take the step detailed in the above report, namely, to require that the action should be restored to the list, brought on, and then judgment entered for the defendant in open court.

## UNQUALIFIED PRACTICE.

D.—If we understand our correspondent rightly, he complains that a patient of his has called in and is being attended by an unqualified practitioner. We do not see that he can do anything except discontinue his attendance. It might be possible to prosecute the unqualified practitioner successfully, and our correspondent might communicate the facts to the General Secretary of the Medical Defence Union, 4, Trafalgar Square, London, W.C.

## VALUATION OF A PRACTICE.

PATERFAMILIAS writes that he wishes to retire, and would be glad to know what price one of his sons ought to pay him for his practice which has averaged for the last three years gross receipts £650.

\*.\* The value of the practice would be from one to two years'